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**From:** Hicks, Matt [Hicks.Matthew@epa.gov]  
**Sent:** 2/7/2019 2:25:02 AM  
**To:** Laycock, Kelly [Laycock.Kelly@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]; Purify, Johnnie [Purify.Johnnie@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Hurlid, Kathy [Hurlid.Kathy@epa.gov]; Parker, Christopher [Parker.Christopher@epa.gov]  
**Subject:** RE: Internal EPA coordination re: Florida 404 assumption  
**Attachments:** Status of assumption\_20190207briefing(MLH).docx

Kelly,

I had some edits to the briefing paper. I'm on travel tomorrow for a CLE I'm attending in Florida but I do plan to call in for the 11:00 briefing with Jeaneanne.

Thanks,

Matt

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**From:** Laycock, Kelly  
**Sent:** Wednesday, February 6, 2019 12:36 PM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>; Purify, Johnnie <Purify.Johnnie@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>  
**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Attached is an updated briefing sheet for our meeting with Jeaneanne tomorrow for your review. Please pay particular attention to the update regarding incorporating by reference the retained water list (copied below) to be sure I properly captured Matt and Simma's update from OFR.

## Ex. 5 Deliberative Process (DP)

Kelly Laycock  
Wetlands Regulatory Section  
U.S. Environmental Protection Agency  
61 Forsyth St.  
Atlanta GA, 30303  
phone 404 562 9132

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**From:** McGill, Thomas  
**Sent:** Wednesday, February 6, 2019 12:01 PM  
**To:** Laycock, Kelly <Laycock.Kelly@epa.gov>; Purify, Johnnie <Purify.Johnnie@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Parker,

Christopher <[Parker.Christopher@epa.gov](mailto:Parker.Christopher@epa.gov)>

**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Thanks very much Kelly. We just had a call with the Corps, and they relayed the same general information about the call last week. They also relayed that John Truitt participated and that John said that the Governor has not yet identified assumption as a priority. Obviously we can't conclude anything from that as this is second-hand info, and even if accurate it doesn't mean the Governor won't identify it as a priority. I asked the Corps about the status of the assumable/retained waters list, and while I'm not sure if anyone on our call is directly plugged into that effort they indicated that they understood the work is 99% complete and is being fine-tuned. Hopefully we'll learn more FDEP next week. Tom

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**From:** Laycock, Kelly

**Sent:** Wednesday, February 6, 2019 10:29 AM

**To:** McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>; Purify, Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>

**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

I just spoke with Heather at FDEP regarding the 12/17 meeting they had with the Corps. She indicated that meeting went well and was mostly discussing specific language in the MOA. She said they met again last week specifically talking about permit mods. The Corps stance is that they would only take administrative mods. Mods that change discharge or impacts would be handled by the FDEP. I'm not 100% up to speed on this issue so I'm hoping this makes sense to those of you who have been involved since the beginning?

Heather also indicated that the Corps had not yet commented on the EPA's suggested language changes to the MOA but she hoped to get those comments soon.

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**From:** McGill, Thomas

**Sent:** Tuesday, February 5, 2019 5:58 PM

**To:** Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Purify, Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>

**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Good plan Kelly, thanks.

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**From:** Laycock, Kelly

**Sent:** Tuesday, February 5, 2019 5:57 PM

**To:** McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>; Purify, Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>

**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Tom,

According to the 12/20 briefing sheet Rosemary had made, FDEP was expected to give an update on the 1/7/19 call but when we spoke last Tuesday they didn't give any updates on the outcome of that meeting. I will reach out to Heather at FDEP in the morning and perhaps you can ask the Corps during your meeting tomorrow?

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**From:** McGill, Thomas  
**Sent:** Tuesday, February 5, 2019 5:54 PM  
**To:** Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Purify, Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>  
**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Thanks Kelly. Do we have any information about the outcome of the Corps-FDEP meeting on Dec 17? If we don't I think we need to reach out to them tomorrow so we can include that in our brief.

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**From:** Laycock, Kelly  
**Sent:** Tuesday, February 5, 2019 5:42 PM  
**To:** McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>; Purify, Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>  
**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

I've attached a draft briefing sheet for our meeting with Jeaneanne Thursday. I believe all the dates and timelines have been updated. I held off on adding retained waters update. Matt summarized a bit for us today but I wanted to wait for the summary email he indicated Simma was working on to make sure I kept the language consistent. Matt, if you prefer to take a stab at summarizing the update in the briefing sheet, please feel free.

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**From:** McGill, Thomas  
**Sent:** Monday, February 4, 2019 8:02 PM  
**To:** Purify, Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>; Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Parker, Christopher <[Parker.Christopher@epa.gov](mailto:Parker.Christopher@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>  
**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Kelly – We may not have anything for the whole group to discuss, but I suggest you, Johnnie and I discuss the mechanics of updating the biweekly briefing document for Jeaneanne (we're on her calendar this week) and the RA issue paper.

Chris – I'm recalling that during the last in-person meeting with FDEP, Eric would be following up with you begin drafting/working-through their wetland delineation implementation process. Has there yet been any follow-up? Tom

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**From:** Laycock, Kelly

**Sent:** Monday, February 4, 2019 1:25 PM

**To:** Calli, Rosemary <Calli.Rosemary@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Parker, Christopher <Parker.Christopher@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>; Hurl, Kathy <Hurl.Kathy@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Groman, Hazel <Groman.Hazel@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Derby, Jennifer <Derby.Jennifer@epa.gov>; Purify, Johnnie <Purify.Johnnie@epa.gov>; Able, Tony <Able.Tony@epa.gov>  
**Cc:** Morgan, James <Morgan.James@epa.gov>; Baldwin, Andrew <baldwin.andrew@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Frazer, Brian <Frazer.Brian@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>  
**Subject:** RE: Internal EPA coordination re: Florida 404 assumption

Unless there has been movement regarding the ESA/5-way MOA since last Tuesday, I'm not sure we really have any updates to discuss on our scheduled call tomorrow. If nobody has specific topics to discuss, I suggest we cancel the call.

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-----Original Appointment-----

**From:** Calli, Rosemary

**Sent:** Tuesday, September 25, 2018 7:15 AM

**To:** Calli, Rosemary; McGill, Thomas; Parker, Christopher; Mancusi-Ungaro, Philip; Hurl, Kathy; Hicks, Matt; Groman, Hazel; Speir, Jeffrey; Kupchan, Simma; Derby, Jennifer; Purify, Johnnie; Tony Able

**Cc:** Morgan, James; Baldwin, Andrew; Ghosh, Mita; Frazer, Brian; Eisenberg, Mindy; Laycock, Kelly; Nagrani, Kavita; Wade, Alexis

**Subject:** Internal EPA coordination re: Florida 404 assumption

**When:** Tuesday, February 5, 2019 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** call-in: Ex. 6 Personal Privacy (PP) code Ex. 6 Personal Privacy (PP)

Updated call-in: Ex. 6 Personal Privacy (PP) code Ex. 6 Personal Privacy (PP)

Topics/Agenda items will be provided in advance.

In general this meeting is to:

- provide internal updates on progress on Florida's efforts to assume a 404 program, and
- prepare for the subsequent (every other Tuesday afternoon) call with Florida FDEP.